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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

HECTOR TOPETE, individually; CINDY
TOPETE, individually, and on behalf of
[REDACTED], a
minor, and [REDACTED], a
minor,

Plaintiffs,

vs.

GEICO CASUALTY COMPANY, a foreign
corporation; DOE INDIVIDUALS I through
X, inclusive; and ROE BUSINESS
ENTITIES I through X, inclusive,

Defendants.

CASE NO.: 2:22-cv-00593-JCM-BNW

**STIPULATION ON DAMAGES AND
FOR REMAND TO STATE COURT**

COMES NOW Defendant GEICO CASUALTY COMPANY, by and through its counsel,
Matthew J. Douglas, Esq. and Thomas E. Winner, Esq. of the law offices of WINNER BOOZE
& ZARCONE and Plaintiffs HECTOR TOPETE, individually; CINDY TOPETE, individually,
and on behalf of [REDACTED] a minor, and [REDACTED], a
minor, by and through their counsel of record Joel S. Hengstler, Esq. of the 702 FIRM and
respectfully submit the following Stipulations:

IT IS HEREBY STIPULATED by and between Matthew J. Douglas, Esq. and Thomas E.
Winner, Esq. of the law offices of WINNER BOOZE & ZARCONE and Plaintiffs HECTOR
TOPETE, individually; CINDY TOPETE, individually, and on behalf of [REDACTED]
[REDACTED] a minor, and [REDACTED], a minor, by and through their

1 counsel of record Joel S. Hengstler, Esq. of the 702 FIRM that the maximum amount of damages
2 that will be sought, requested, or demanded by ALL Plaintiffs combined (HECTOR TOPETE,
3 individually; CINDY TOPETE, individually, and on behalf of [REDACTED]
4 [REDACTED] a minor, and [REDACTED], a minor) for ALL claims set forth in Plaintiffs
5 Complaint herein (for Breach of UM/UIM Breach of the Implied Covenant of Good Faith and
6 Fair Dealing and/or statutory violations of NRS. 686A.310 *et seq.*, and punitive damages) shall
7 not exceed \$75000.00 in this case or after this case is remanded to state court under Case No. A-
8 22-849438-C.

9 IT IS HEREBY FURTHER STIPULATED by and between Matthew J. Douglas, Esq.
10 and Thomas E. Winner, Esq. of the law offices of WINNER BOOZE & ZARCONE and
11 Plaintiffs HECTOR TOPETE, individually; CINDY TOPETE, individually, and on behalf of
12 [REDACTED], a minor, and [REDACTED], a minor, by and
13 through their counsel of record Joel S. Hengstler, Esq. of the 702 FIRM that because Plaintiffs
14 stipulated damages are below the jurisdictional amount, that this Court direct the Clerk of this
15 Court to Remand this case back to the Eighth Judicial District Court for Clark County, Nevada,

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1 Department 31, Case No. A-22-849438-C and CLOSE THIS CASE.

2 Dated: May 25, 2022

WINNER BOOZE & ZARCONE

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4 /s/ **Thomas E. Winner**

Thomas E. Winner, Esq.
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Matthew J. Douglas, Esq.
Nevada Bar No. 11371
1117 South Rancho Drive
Las Vegas, Nevada 89102
Attorneys for Defendant GEICO

8 Dated: May 25, 2022

THE702FIRM

9
10 /s/ **Joel S. Hengstler**

Michael C. Kane, Esq.
Nevada Bar No. 10096
Bradley J. Myers, Esq.
Nevada Bar No. 8857
Joel S. Hengstler, Esq.
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Attorneys for Plaintiffs

ORDER

IT IS HEREBY ORDERED that based on Plaintiffs stipulation that they will not seek or otherwise request damages for all Plaintiffs combined, on all claims in the complaint, shall not exceed \$75,000.00 in this case or in the remanded state court action, Case No. A-22-849438-C, that this Court directs the Clerk of this Court to Remand this case back to the Eighth Judicial District Court for Clark County, Nevada, Department 31, Case No. A-22-849438-C and CLOSE THIS CASE.

IT IS SO ORDERED this 27th day of May, 2022.


UNITED STATES DISTRICT JUDGE